DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"AMORPHOUS ALLOYS FOR MAGNETO-ACOUSTIC MARKERS IN ELECTRONIC ARTICLE SURVEILLANCE HAVING REDUCED, LOW OR ZERO CO-CONTENT AND METHOD OF ANNEALING THE SAME"

Case No. **P99,2335** _____, the specification of which

(check one) _X_ is attached hereto.
___ was filed on _____, as Application Serial No._____ and was amended on _____. (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, 1.56[1].

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and I believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below
Prior Foreign Application(s)

---

[1] (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
(2) It refutes, or is inconsistent with, a position the applicant takes in:
(i) Opposing an argument of unpatentability relied on by the Office, or
(ii) Asserting an argum nt of patentability.
A *prima facie* case of unpat ntability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each t rm in the claim its broadest reasonable construction consistent with th specification, and before any consideration is given to evid nce which may be submitted in an attempt to establish a contrary conclusion of patentability.

Number Country Date

and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

Prior Foreign Application(s)

Number Country Date

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

Number Country Date

And I hereby appoint Messrs. John D. Simpson (Registration No. 19,842), Steven H. Noll (28,982), Brett A. Valiquet (27,841), James D. Hobart (24,149), Melvin A. Robinson (31,870), and Mark Bergner, all members of the firm of Schiff, Hardin & Waite,

Telephone: 312/258-5790

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Schiff, Hardin & Waite
Patent Department
6600 Sears Tower, Chicago, Illinois 60606

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor **GISELHER HERZER**

Inventor's signature Giselher Herzer Date 9/29/00
Residence Bruchkoebel, Germany
Citizenship Germany
Post Office Address Roentgenstr. 11
63486 Bruchkoebel, Germany

Full name of second joint inventor,
(if any) **NEN-CHIN LIU**

Inventor's signature _____ Date _____
Residence Wellington, Florida
Citizenship United States
Post Office Address 11174 Winding Pearl Way
Wellington, Florida 33414

DECLARATION AND POWER OF ATTORNEY

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My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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Prior Foreign Application(s)

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(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

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Number Country Date

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Number Country Date

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Number Country Date

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Schiff, Hardin & Waite
Patent Department
6600 Sears Tower, Chicago, Illinois 60606

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Full name of sole or first inventor **GISELHER HERZER**

Inventor's signature _____ Date _____
Residence Bruchkoebel, Germany
Citizenship Germany
Post Office Address Roentgenstr. 11
63486 Bruchkoebel, Germany

Full name of second joint inventor,
(if any) **NEN-CHIN LIU**

Inventor's signature Nen-Chin Liu Date 9-27-00
Residence Wellington, Florida
Citizenship United States
Post Office Address 11174 Winding Pearl Way
Wellington, Florida 33414

11-13-2000

101513650

10.2.00

FORM PTO-1595 R ET U.S. DEPARTMENT OF COMMERCE
1/31/92 Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Giselher Herzer and Nen-Chin Liu

Additional name(s) of conveying party(ies) attached?
☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Vacuumschmelze GmbH

Internal Address: Gruener Weg 37

D-63450 Hanau, Germany

Street Address:

City: State: Zip:

Additional Name(s) & Address(es) attached ☒ Yes ☐ No

JC825 U.S. PTO 09/677245 10/02/00

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date September 29 & 27, 2000

4. Application (number(s) or patent number(s):
If this document is being filed together with a new application, the execution date of the application is: 09/29&27/00

A. Patent Application No.(s)

Atty. Docket No. P-99,2335

B: Patent No.(s)

09677245

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

SCHIFF HARDIN & WAITE
Patent Department
6600 Sears Tower
233 S. Wacker Drive
Chicago, IL 60606-6473

6. Total number of applications and patents involved

1

7. Total Fee (37 CFR 3.41 . . . . . $ 40.00
☒ Enclosed
☒ Authorized to be charged to deposit account any Additional fees

8. Deposit Account Number:
501519
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature:
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Steven H. Noll (Reg. No. 28,982) — Name of Person Signing
Steven H. Noll — Signature
October 2, 2000 — Date

Total number of pages: 6

Mail documents to be recorded and required cover sheet information to:
Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

11/09/2000 MTHAI1 00000184 09677245
01 FC:581 40.00 OP

ATTACHMENT TO FORM PTO-1595
(Herzer et al, Atty. Docket P-99,2335)

ADDITIONAL NAME AND ADDRESS OF RECEIVING PARTY(IES):

Name: Sensormatic Electronics Corp.

Internal Address: 951 Yamato Road

Boca Raton, Florida 33431

ASSIGNMENT

FOR a valuable consideration, the undersigned,

	GISELHER HERZER	**NEN-CHIN LIU**
residing at	Roentgenstr. 11 63486 Bruchkoebel Germany	11174 Winding Pearl Way Wellington, Florida 33414 U.S.A.

each hereby sell, assign, and transfer unto VACUUMSCHMELZE GMBH, Gruener Weg 37, D-63450 Hanau, Germany, a German corporation, 50% of the whole right, title and interest, and unto **SENSORMATIC ELECTRONICS CORP.**, 951 Yamato Road, Boca Raton, Florida 33431, a Delaware corporation, 50% of the whole right, title and interest, in and to a certain invention or improvement in:

"AMORPHOUS ALLOYS FOR MAGNETO-ACOUSTIC MARKERS IN ELECTRONIC ARTICLE SURVEILLANCE HAVING REDUCED, LOW OR ZERO CO-CONTENT AND METHOD OF ANNEALING THE SAME"

disclosed in an application for Letters Patent of the United States, prepared by the firm of Schiff, Hardin & Waite, Patent Department, of Chicago, Illinois, and executed of even date herewith, said application being identified in the office records of said firm as Case No. **P99,2335**, and in and to the United States Letters Patent therefor, when issued, together with all improvements thereon and betterments thereof, all divisions, continuations and reissues thereof and substitutions of or for said application, and all rights and privileges under the Letters Patent that may be granted therefor, including the right to claim the benefit of an earlier filing date for the same invention in a foreign country.

We hereby authorize and request the Commissioner of Patents to issue the Letters Patent that may be granted for said invention or improvements to said **VACUUMSCHMELZE GMBH,** Gruener Weg 37, D-63450 Hanau, Germany, and unto **SENSORMATIC ELECTRONICS CORP.,** 951 Yamato Road, Boca Raton, Florida 33431.

For the same consideration, we hereby agree that we will promptly communicate to the aforesaid assignees or their assigns full and complete information concerning said improvements or betterments of the inventions disclosed in said application, and will cooperate at any time upon request of said assignees or their assigns, at their expense, in the procurement of patent protection to cover the inventions herein assigned and to be assigned, including the execution of new divisional, continuing and reissue applications; will make all rightful oaths, will testify in any proceedings in the United States Patent Office or in the Courts, and generally will do everything lawfully possible to aid said assignees, their successors, assigns and nominees to obtain, enjoy and enforce proper patent protection for the inventions embraced within the terms of this document.

DATE: 9/29/00

Giselher Herzer

GISELHER HERZER

WITNESSES:

Dieter Uchul

Alexandra Penzs

DATE: _____

_____

NEN-CHIN LIU

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at:

Date:_____

City of _____
County of _____
State of _____

STATE OF _____)
) ss
COUNTY OF_____)

Before me personally appeared **NEN-CHIN LIU** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under his seal, for the uses and purposes therein set forth, on the day and year aforesaid

_____
Notary Public

ASSIGNMENT

FOR a valuable consideration, the undersigned,

residing at

GISELHER HERZER
Roentgenstr. 11
63486 Bruchkoebel
Germany

NEN-CHIN LIU
11174 Winding Pearl Way
Wellington, Florida 33414
U.S.A.

each hereby sell, assign, and transfer unto VACUUMSCHMELZE GMBH, Gruener Weg 37, D-63450 Hanau, Germany, a German corporation, 50% of the whole right, title and interest, and unto **SENSORMATIC ELECTRONICS CORP.**, 951 Yamato Road, Boca Raton, Florida 33431, a Delaware corporation, 50% of the whole right, title and interest, in and to a certain invention or improvement in

"AMORPHOUS ALLOYS FOR MAGNETO-ACOUSTIC MARKERS IN ELECTRONIC ARTICLE SURVEILLANCE HAVING REDUCED, LOW OR ZERO CO-CONTENT AND METHOD OF ANNEALING THE SAME"

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We hereby authorize and request the Commissioner of Patents to issue the Letters Patent that may be granted for said invention or improvements to said **VACUUMSCHMELZE GMBH,** Gruener Weg 37, D-63450 Hanau, Germany, and unto **SENSORMATIC ELECTRONICS CORP.,** 951 Yamato Road, Boca Raton, Florida 33431.

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DATE: _____ _____

GISELHER HERZER

WITNESSES:

_____

_____

DATE: 9-27-00 _____

NEN-CHIN LIU

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at:

Date: 9-27-00

City of Boca Raton
County of PALM BEACH
State of FLORIDA

STATE OF FLORIDA)
) ss
COUNTY OF PALM BEACH)

Before me personally appeared **NEN-CHIN LIU** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under his seal, for the uses and purposes therein set forth, on the day and year aforesaid

_____
Notary Public

STATE OF FLORIDA NOTARY PUBLIC
TRICIA L. RIDDLE
My Comm Exp. 2/8/2002
No. CC 714474
Personally Known [ ] Other I.D.